

# Exhibit 16

A C T S  
O F T H E  
GENERAL ASSEMBLY  
O F T H E  
S T A T E  
O F  
N E W - J E R S E Y.

At a SESSION begun at PRINCETON on the 27th Day of  
*August*, 1776, and continued by Adjournments till the 11th  
of *October* 1777.

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B U R L I N G T O N :  
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Courts, their  
Power, &c.

of the said Courts, but the Justices of the Supreme Courts of this State, and the Judges and Justices of the respective Counties in which the said Courts shall be appointed to be held; and such Courts of Oyer and Terminer and General Gaol Delivery so constituted, appointed, and commissioned, shall, and they are hereby declared to have all the Power, Jurisdiction and Authority which such Courts have heretofore held, used and exercised, in this State under the former Government; and all the Proceedings, Transactions and Adjudications of such Courts heretofore appointed and commissioned in Manner aforesaid within the present Year, are hereby declared to be valid and effectual to all Intents and Purposes.

Justices at-  
tending such  
Courts, how  
to be paid.

3. AND BE IT ENACTED by the Authority aforesaid, That when the Governor or Commander in Chief for the Time being, with the Consent of the Council (any three whereof to be a Quorum) shall think it necessary by Commission to appoint a Court of Oyer and Terminer and General Gaol Delivery in any of the Counties of this State, such of the Justices of the Supreme Court, who shall attend and hold the Courts of Oyer and Terminer and General Gaol Delivery so as aforesaid appointed, shall be paid in the Manner and Proportion as is set forth in an Act, entitled, *An Act for the Support of Government of the State of New-Jersey, to commence the twenty-seventh Day of August One Thousand Seven Hundred and Seventy-six, and to end the second Tuesday in October One Thousand Seven Hundred and Seventy-seven, and to discharge the publick Debts and contingent Charges thereof.* PROVIDED ALWAYS, that the last Section of this Act shall be and continue in Force until the End of the next Sitting of General Assembly, and no longer.

Limitation of  
the last Section.

*Passed at Haddonfield, September 20, 1777.*

## C H A P. XL.

### *An ACT for constituting a Council of Safety.*

Preamble.

WHEREAS the Act, entitled, *An Act for investing the Governor and a Council consisting of twelve, with certain Powers therein mentioned, for a limited Time*; and the Act, entitled, *An Act for rendering more effectual two certain Acts therein mentioned*; have expired by their own Limitation: AND WHEREAS it is still necessary to the Preservation of the State, that the executive Powers of Government should be strengthened and exercised with all possible Vigour and Efficacy; therefore,

Members of  
the Council  
of Safety.

SECT. I. BE IT ENACTED by the Council and General Assembly of this State, and it is hereby Enacted by the Authority of the same, That the Honourable Silas Condict, William Paterson, Nathaniel Scudder, Theophilus Elmer, Esquires, John Hart, Benjamin Manning, Peter Tallman, John Mehelm, Caleb Camp, Jacob Drake, Jonathan Bowen, John Combs, John Buck, William Peartree Smith, Frederick Freslinghuysen, and Edward Fleming, Esquires, (any five of whom to be a Quorum) be, and they hereby are constituted and appointed a Council of Safety, whereof His Excellency William Livingston, Esquire, or the Governor or Commander in Chief for the Time being, shall be President, with the Style and Title

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Title of *The President, and Council of Safety for the State of New-Jersey*; and that they be invested with all the Powers and Authorities herein expressed, during the Continuance of this Act.

2. AND BE IT ENACTED *by the Authority aforesaid*, That every Member of the said Council shall be and he is hereby invested with all the Authority and Powers of a Justice of the Peace throughout this State, and that the said President and Council of Safety shall be deemed and taken to be a Board of Justices for and throughout this State, invested with all the Authority and Powers of any one or more Justices of the Peace, as the Case may require, during the Continuance of this Act: PROVIDED NEVERTHELESS, That it be in their Option to act or not in that Capacity in Matters of a civil Nature.

Powers in-  
vested in  
them.

3. AND BE IT ENACTED *by the Authority aforesaid*, That the President be, and he is hereby fully empowered, by and with the Advice and Consent of the Council aforesaid, (any five of which to be a Quorum) to fill up any military Office which is or shall become vacant by the Death, Resignation, Removal, or otherwise of any military Officer; and that the Person so appointed to any Office shall, nevertheless, be approved of or rejected by the Council and Assembly of this State, in Joint-Meeting, at the next Sitting of General Assembly next after such Appointment.

Who to fill  
up vacant Mi-  
litary Offices,

4. AND BE IT ENACTED *by the Authority aforesaid*, That the President be and he is hereby empowered, by and with the Advice of the Council aforesaid, (any five of whom to be a Quorum) to apprehend any Person disaffected to, or acting against the Government, or whom they shall suspect of being disaffected to, or of having dangerous Designs against the Government, and such Person to commit to any Gaol within this State.

And apprehend  
disaf-  
fected Per-  
sons.

5. AND BE IT ENACTED *by the Authority aforesaid*, That any Dwelling House, Out-House, or Guard-Room, in which the President and Council aforesaid shall confine any Person for any Offence committed against this State, the Laws, or Government thereof, shall be deemed and adjudged a legal Gaol for that Purpose. AND IT IS FURTHER ENACTED, That the President, by and with the Advice of the Council aforesaid, (any five of whom to be a Quorum) shall be, and he is hereby authorized to remove any Person already, or who hereafter shall be apprehended or imprisoned for any Offence against the Government, from the Gaol in which he may stand committed, to any other within this State, and so from Time to Time, and from Gaol to Gaol, as may be deemed necessary or expedient.

Houses deem-  
ed legal  
Gaols.

Persons con-  
fined, by  
whom re-  
moved.

6. AND BE IT ENACTED *by the Authority aforesaid*, That the President and Council aforesaid, (any five of whom to be a Quorum) be, and they are hereby empowered and directed to cause the Laws of this State to be faithfully executed, and to expedite, as far as may be, the Execution of such Measures as shall have been, or may be resolved upon by the Legislative-Council and General Assembly of this State, and to recommend it to the Speaker to call the General Assembly when necessary, before the Day to which they shall stand adjourned.

Council of  
Safety, their  
Duty.

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7. AND

President em-  
powered to  
call out the  
Militia, &c.

7. AND BE IT ENACTED *by the Authority aforesaid*, That the President, by and with the Advice of the Council aforesaid, (any five of whom to be a Quorum) shall be, and he is hereby empowered to call out such and so many of the Militia of this State as they shall think necessary to carry their lawful Orders and Directions into Execution, as well as a Guard for their own Security and Defence, which Militia so called upon shall not be entitled to commute for their actual Service by any Fine or Forfeiture, but shall be compellable to serve, and in Consideration of such Service shall be excused from their next Tour of military Duty, in Proportion to the Number of Days they have so served (except in Cases where the whole Militia is called out) and shall have the same Pay and Rations as when on military Duty. AND IT IS FURTHER ENACTED, That the President, by and with the Advice and Consent of the Council aforesaid, is hereby authorized to carry all their lawful Orders and Directions into Execution by any such Detachment of the Troops in the Service of the United States as he may be able to procure for that Purpose, at the Expence of the said States.

Persons de-  
clared guilty  
of Felony,

8. AND BE IT ENACTED *by the Authority aforesaid*, That if any Person being a Member of, or owing Allegiance to this Government, as described in the first Section of the Act, intituled, *An Act to punish Traitors and disaffected Persons*, shall be apprehended on his Way to the Enemy with Intent to go into their Lines or Encampments, or into any Place in their Possession, without the License, Permission or Passport of the Commander in Chief of the Army of the United States of *North-America*, or of the Governor or Commander in Chief of this State for the Time being, or of some General Officer of the Army of the said United States, or of the Major General or one of the Brigadiers General of the Militia of this State, such Person is hereby declared to be guilty of Felony, and, being thereof legally convicted, shall suffer Death without Benefit of Clergy. PROVIDED NEVERTHELESS, That if any Person so offending as aforesaid shall, at the Time of his Examination before the President and Council of Safety aforesaid, or within five Days thereafter, declare his Willingness to enlist, and shall actually enlist with the Leave of the President and Council aforesaid, to serve on Board any of the Vessels of War belonging to the United States, it shall be lawful for them to suffer him so to enlist, and thereupon to discharge him from his Confinement, and such his Enlistment shall be deemed a full Pardon of his Offence aforesaid, any Thing herein before contained to the contrary notwithstanding.

May, with  
Leave, enlist.

Other Persons  
declared guil-  
ty of Felony.

9. AND BE IT ENACTED *by the Authority aforesaid*, That if any Person, being a Member of, or owing Allegiance to this Government, as described in the first Section of the Act, intituled, *An Act to punish Traitors and disaffected Persons*, who hath, since the fourth Day of *October* last, voluntarily gone into any of the Enemy's Lines or Encampments, or into any Place in their Possession, shall return to any Part of this State in a secret or clandestine Manner, or without any Leave, License or Passport previously obtained from the Governor or Commander in Chief of this State for the Time being, or President of the Council of Safety, or from a General Officer of the Army of the United States, or of the Major General, or one of the Brigadiers General of the Militia of this State, such Person is hereby declared to be guilty of Felony,



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lony, and, being thereof legally convicted, shall suffer Death without Benefit of Clergy. PROVIDED NEVERTHELESS, That he may enlist as aforesaid; and that such Enlistment shall be considered and operate in like Manner as the Enlistment of a Person committing the Offence specified in the last preceding Section of this Act.

May also enlist.

10. AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That if any Woman being a Subject of, or owing Allegiance to this Government, as aforesaid, shall be apprehended on her Way to the Enemy, with Intent to go into their Lines or Encampments, or into any Place in their Possession without such License, Permission or Passport as aforesaid, or having so gone into the same, shall return to any Part of this State without such License, Permission or Passport, as aforesaid, every Woman so offending, shall, for the first Offence, be fined and imprisoned at the Discretion of the Court, provided that such Fine do not exceed *Three Hundred Pounds*, nor the Imprisonment one Year, and for the second Offence is declared to be guilty of a capital Felony, and, being thereof convicted, shall suffer Death accordingly.

Women detected going to the Enemy, how punished.

11. AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That the President and Council aforesaid are hereby authorized and empowered to grant Passports or Permissions to pass through any Parts of this State; and also to authorize such and so many Persons in every County within the same, to grant such Passports or Permissions, and under such Regulations as they shall think necessary; and to detain under Guard all Persons suspected of dangerous Designs against the State, travelling without such Passports or Permissions, until they shall satisfy the said President and Council aforesaid, or the Persons by them so authorized of their being well-affected to the State, and of their travelling without any Designs injurious to it: And every Person who shall be convicted of counterfeiting any such Passports or Permissions, shall suffer six Months Imprisonment.

Passports, who to grant them.

Punishment for counterfeiting them.

12. AND BE IT ENACTED *by the Authority aforesaid*, That it shall and may be lawful for the President and Council aforesaid, to send into the Enemy's Lines such of the Wives and Children of Persons lately residing within this State, who have gone over to the Enemy, as they shall think necessary.

Who may be sent within the Enemy's Lines.

13. AND WHEREAS by Reason of the Irruption of the Enemy into several Parts of this State, and the Arts and Influence of disaffected Persons residing in the same, either no Trial at all, or no fair and impartial Trial of Traitors and disaffected Persons can be had in several Counties of this State; BE IT THEREFORE ENACTED *by the Authority aforesaid*, That every Person who shall be charged with, or committed for any of the Crimes or Offences specified in the first, second, or third Sections of the said Act, intituled, *An Act to punish Traitors and disaffected Persons*, or who shall be charged with or committed for Misprision of Treason, or for any Crime or Offence specified in the eighth or ninth Section of this Act, or who shall be charged with, or committed for any of the Crimes or Offences specified in the second Section of an Act, intituled; *An Act to render certain Bills of Credit a legal Tender within this State, and to prevent the Counterfeiting of the same, and other Bills*

Trial of Traitors, &c. where may be held.

Proviso.

*Bills of Credit*, may be tried for the same in any County of this State, by a Jury of that County, at the Discretion of the President and Council aforesaid, although the Offence he be charged with, or was committed for, was done and perpetrated in any other County, any Law, Usage, or Custom to the contrary thereof in anywise notwithstanding. PROVIDED NEVERTHELESS, That the President and Council of Safety aforesaid may permit any Person suspected of or charged with any of the Crimes or Offences specified in the first, second, or third Sections of the Act aforesaid, intituled, *An Act to punish Traitors and disaffected Persons*, or who shall be charged with or suspected of Misprision of Treason, to enlist on Board any of the Vessels of War belonging to the United States, instead of confining them for Trial; and such Enlistment shall be deemed in full Pardon of the said Crime or Offence; any Law to the contrary thereof notwithstanding.

Suspicious  
Persons refus-  
ing to take the  
Oaths, how  
punished.

14. AND WHEREAS it is inconsistent with every Principle of civil Society and social Justice, that any Person, but more especially such as from his Abilities, Affluence, or Rank in Life, may have great Influence over others, should be suffered to remain in and be protected by a Government to which he refuses Fidelity and Allegiance: AND WHEREAS some such Persons, through the Tolerance and Lenity of the present Government, and in Expectation of their becoming good Subjects, have been suffered to continue in the same, and to enjoy all the Benefits of Government in common with others the faithful Subjects of the State: AND WHEREAS it is at Length highly necessary to discriminate the Friends of Government from its Foes, and to deal with the latter agreeably to their respective Demerits; BE IT THEREFORE ENACTED by the Authority aforesaid, That if any Person who shall be convened before the President and Council aforesaid by Warrant, Summons, or otherwise, on Suspicion of being dangerous or disaffected to the present Government, shall neglect or refuse to take the Oaths of Abjuration and Allegiance set forth in an Act, entitled, *An Act for the Security of the Government of New-Jersey*, passed the nineteenth Day of September One Thousand Seven Hundred and Seventy-six, upon the same being tendered to him by them, and such Person shall appear to the President and Council too dangerous to the State to be suffered to go at Large upon giving Security to appear at the next Court of General Quarter Sessions of the Peace, and to be in the mean Time of good Behaviour, the President and Council aforesaid are hereby authorized and empowered to commit such Person to close Gaol, and certify the same with the Cause of Commitment, under the Hand and Seal of the President, to the next Court of General Quarter Sessions of the Peace; where, if such Person shall refuse to take the said Oaths he shall be bound to his good Behaviour, or be fined or imprisoned as the Court shall deem necessary, any Thing in the said Act, intituled, *An Act to punish Traitors and disaffected Persons* to the contrary thereof notwithstanding. And if any Person, so as aforesaid convened, and refusing to take the said Oaths of Abjuration and Allegiance, shall be suspected by the President and Council aforesaid to be too dangerous to the State to be suffered any longer to remain within the same, the said President and Council are hereby authorized and empowered to appoint a Time and Place for the Hearing of such suspected Persons by himself or his Council, who shall be permitted to introduce such Evidence as may be in his Power to remove such Suspicion,

May be sent  
within the  
Enemy's  
Lines.

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Suspicion, of which Time and Place of Hearing at least eight Days Notice shall be given to such suspected Person, and the said Person shall be entitled to have Subpœnas or Summonses for his Witnesses, and if after such Hearing and Trial the said President and Council (five whereof at least being the Quorum) shall be unanimously of Opinion that the said Person, so as aforesaid suspected, is too dangerous to the State to be suffered to remain within the same, and such Person shall not, before such Opinion shall be pronounced voluntarily take the said Oaths of Abjuration and Allegiance before the said President and Council or other competent Authority, it shall and may be lawful for the said President and Council to send such Person, together with such Parts of his Family as they shall think proper into the Lines of the Enemy; and if such Person, during the present War, waged and carried on by the King of *Great-Britain* against the United States of *North-America*, shall return into this State without Permission first obtained from the Commander in Chief of this State, for the Time being, with the Advice of the Privy Council, he shall be adjudged guilty of Felony; and, being duly convicted thereof, shall suffer Death without Benefit of Clergy. PROVIDED ALWAYS, That such Person shall be permitted to constitute and appoint one or more Attorneys or Agents to settle his Affairs, and to sell or otherwise dispose of all his Estate, Real and Personal, for his own proper Use and Benefit.

And have Liberty to appoint Agents.

15. AND BE IT ENACTED *by the Authority aforesaid*, That any Dwelling-House, Out-House or Guard-Room in which the President and Council aforesaid shall confine any Person for any Offence specified in the thirteenth Section of this Act, or committed against any of the Acts mentioned therein, shall be deemed and adjudged a legal Gaol for that Purpose.

Houses deemed legal Gaols.

16. AND BE IT ENACTED *by the Authority aforesaid*, That the President and Council aforesaid shall be, and they are hereby authorized to cause to be cleansed, such of the Towns of this State in which any Troops have been quartered, as they shall think necessary, to prevent infectious Distempers.

Towns to be cleansed.

17. AND WHEREAS the Enemy have lately adopted the mean and unmanly Practice of encouraging our disaffected Subjects, secretly to apprehend and convey into their Lines, such of the loyal Subjects of this State as have rendered themselves obnoxious to their Resentment, on Account of their singular Patriotism and more eminent Services to their Country, BE IT THEREFORE ENACTED *by the Authority aforesaid*, That it shall and may be lawful, for the President and Council of Safety aforesaid, forthwith, and from Time to Time hereafter, to apprehend and imprison such and so many Persons disaffected to this State as they shall think sufficient to induce the Enemy to release such of the Subjects of this State as have already been, or hereafter may be, so secretly apprehended and conveyed away as aforesaid and detained by the Enemy, until they shall be released and set at Liberty to return to their respective Places of Abode. And the President and Council aforesaid, are hereby empowered to negotiate an Exchange of the Persons disaffected to the State, so as last aforesaid apprehended and imprisoned for such of the Subjects of this State as already have been, or hereafter may be, so

Kidnaping, Mode of Retaliation, &c.



secretly apprehended and conveyed away, and detained by the Enemy. And that such Persons so apprehended and exchanged by the President and Council aforesaid, shall have the Benefit of the Proviso Clause contained in the fourteenth Section of this Act.

Beacons may  
be erected.

18. AND BE IT ENACTED *by the Authority aforesaid*, That the President and Council of Safety aforesaid be, and they hereby are empowered to erect and fix Beacons and Alarm-Posts in such Places in this State as they shall judge most proper.

Electors neglecting to  
choose Representatives,  
who to fix a  
Day, &c.

19. AND WHEREAS by the Irruption of the Enemy into this State, and their Vicinity to some of the Places of holding the Elections for Representatives to serve in the Legislative-Council and General Assembly, it may be impracticable to hold Elections in some of the Counties at the Time and Places appointed by Law; THEREFORE, BE IT ENACTED *by the Authority aforesaid*, That in case the Electors in any of the Counties of this State shall not proceed to the Choice of Representatives, to serve in the said Legislative-Council and General Assembly, at the Time and Places appointed by an Act, intituled, *An Act for regulating the Election of the Members of the Legislative-Council and Assembly, Sheriffs and Coroners of the State of New-Jersey*, the President and Council of Safety aforesaid are hereby empowered and directed to fix and appoint for the County, so as aforesaid destitute of Representatives, such Day and Place in the said County as they shall judge most expedient; and the Election so held shall be conducted and Return thereof made in the Manner set forth in the Act last mentioned; and thereupon such Election and Return shall be deemed and taken to be good and valid to all Intents and Purposes as if the same had been made at the Times and Places by the said Act directed. AND BE IT FURTHER ENACTED, That if it so happen, that on the Day appointed in the Act last aforesaid, for the Meeting of the Legislature at *Trenton*, a Number of Representatives sufficient to constitute a House shall not attend, whereby Business cannot be proceeded upon; in such Case the President and Council of Safety aforesaid shall be, and they hereby are empowered and directed, as soon as possible after the Election or Elections by them appointed to be held, to issue Citations for calling together and convening the Legislature on such Day, and at such Place as they shall appoint.

Council of  
Safety to disarm  
disaffected  
Persons.

20. AND BE IT ENACTED *by the Authority aforesaid*, That the President and Council aforesaid be, and they hereby are empowered and directed to deprive and take from such Persons as they shall judge disaffected and dangerous to the present Government, all the Arms, Accoutrements and Ammunition which they own or possess; and the said President and Council are hereby authorized to pay for such Arms, Accoutrements and Ammunition, or any of them, such Sum as shall be ascertained by two or more Appraisers under Oath, which said Arms, Accoutrements and Ammunition shall be delivered, for the Use of the State, to the Commanding Officer of the Battalion in whose District such disaffected Person resides.

Governor's  
Absence, &c.  
how supplied.

21. AND BE IT ENACTED *by the Authority aforesaid*, That whenever His Excellency *William Livingston*, Esquire, or the Governor or Commander in Chief for the Time being, by Reason of his Absence out of this State, or of Sickness though within it, or by any other reasonable

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able Impediment, is prevented from attending the Council of Safety, or in case there be no Governor or Commander in Chief elected in due Time and Season, the said Council of Safety are hereby empowered in such Case to elect a President; and the Person so elected shall be, and is hereby invested with the same Power and Authority as the said *William Livingston*, Esquire, or the Governor or Commander in Chief, for the Time being, is invested with by this present Act.

22. AND BE IT ENACTED *by the Authority aforesaid*, That the President and Council aforesaid shall have a Secretary, and keep fair Books of their Proceedings; which Secretary shall be allowed such Compensation for his Time and Trouble as the said President and Council shall judge adequate and proper.

Secretary to be appointed, &c.

23. AND BE IT ENACTED, That the Expences of the President of the said Council of Safety, during the Time he shall attend in the Council aforesaid, shall be defrayed by this State; and that every Member of such Council shall, during his Attendance in Council, be allowed at the Rate of *Twenty Shillings* a Day, to be paid by the Treasurer, on Certificate thereof signed by the President.

Expences to be paid by the State.

24. AND BE IT ENACTED *by the Authority aforesaid*, That the said President, by and with the Consent of the Council aforesaid be, and he is hereby empowered to draw on the Treasurer of this State for any Sum of Money which may be necessary from Time to Time in the Exercise of the Powers aforesaid, not exceeding the Sum of *Two Thousand Pounds*; and the said Treasurer is hereby authorized to pay any Order drawn as aforesaid. PROVIDED ALWAYS, That the said President and Council of Safety shall be, and are hereby made accountable to the Legislature of this State for any Sum or Sums of Money drawn from the Treasury of this State by Virtue of this Act.

President to draw on the Treasury.

Proviso.

25. AND WHEREAS sundry disaffected Persons, charged with high Crimes, have been lately apprehended and seized by the Militia of this State, and are now kept under Guard, and more Instances of the like Kind may happen: AND WHEREAS it may be found necessary to keep a military Guard over such Prisoners till they shall be brought to Trial; BE IT ENACTED, That it shall and may be lawful for the President of the said Council of Safety for the Time being, with the Advice and Consent of the said Council (any five whereof to be a Quorum as aforesaid) to nominate and appoint such Person or Persons as the said President and Council shall from Time to Time think proper to provide for such Prisoners and the Guards, the said President and Council shall think it necessary to appoint for keeping such Prisoners securely; and the Treasurer is hereby directed to pay to such Person or Persons so appointed, such Sum or Sums of Money as the said President by Warrant or Warrants under his Hand in the said Council of Safety shall order; for which Sum or Sums the Person or Persons receiving the same, shall account to the Council and General Assembly at their next Sitting after the same shall be so received.

Prisoners, &c. how to be supported.

26. AND WHEREAS it frequently happens that General Officers, and other commanding Officers of Posts or Detachments of the Militia, have

Expenses, by whom paid.

have Occasion to send Dispatches to the Governor, or to distant Posts by Express, BE IT FURTHER ENACTED *by the Authority aforesaid*, That it shall and may be lawful for the said President and Council of Safety to order the Payment (out of the Money so as aforesaid by them to be drawn from the Treasury) of all such necessary Expences for such Services as they shall adjudge proper, which have accrued since the fifteenth Day of *March* last, or shall accrue hereafter during the Continuance of this Act.

Continuance. 27. AND BE IT ENACTED *by the Authority aforesaid*, That this Act shall continue in Force to the End of the next Sitting of the General Assembly, and no longer.

*Passed at Haddonfield, Sept. 20, 1777.*

### C H A P. XLI.

*An A C T to ascertain the Punishment for High Treason, and to establish the Word State instead of Colony in Commissions, Writs and other Procefs; and for other Purposes therein mentioned.*

Preamble. **W**HEREAS some Doubts may arise in the Courts of Judicature respecting the Sentence in High Treason, the same not being as yet precisely ascertained; therefore,

Sentence in High Treason ascertained. *Section I.* BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby Enacted by the Authority of the same*, That when any Person shall be duly convicted of High Treason, the Sentence awarded therefor, so far as respects the corporal Punishment to be inflicted on the Offender, shall be the same as in case of Murder. *Provido.* PROVIDED ALWAYS, That this Restriction of the corporal Punishment shall not be deemed or construed to save the Forfeiture of the Estate of such Offender where the same would otherwise have been forfeited; nor in any Manner to alter or affect the Doctrine and Law respecting High Treason, other than is herein plainly expressed.

Establishment of the Word State instead of Colony. 2. AND WHEREAS in the fifteenth Section of the Constitution of *New-Jersey*, it is directed and ordained, that all Commissions shall run thus, *The Colony of New-Jersey to A. B, &c. (Greeting; and that all Writs shall likewise run in the Name of the Colony; and that all Indictments shall conclude in the following Manner, viz. against the Peace of this Colony, the Government and Dignity of the same: AND WHEREAS since the framing of the said Constitution, the Honourable Congress have declared the United Colonies Free and Independent States: AND ALSO WHEREAS since the Declaration of Independency, the Commissions and Writs have run in the Name of the State, and not of the Colony of New-Jersey, and Indictments have concluded against the Peace of this State and not of this Colony, and some Doubts may arise respecting the Validity of Commissions, Writs and Indictments so as aforesaid worded; BE IT THEREFORE ENACTED by the Authority aforesaid*, That, from and after the Publication of this Act, all Commissions